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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,039	04/05/2006	Osmo Schroderus	879A.0108.U1(US)	5956
29683 7590 11/07/2008 HARRINGTON & SMITH, PC 4 RESEARCH DRIVE, Suite 202 SHELTON, CT 06484-6212				
EXAMINER				
PARKER, AUTUMN H				
ART UNIT		PAPER NUMBER		
2862				
MAIL DATE		DELIVERY MODE		
11/07/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/575,039

Applicant(s)

SCHRODERUS, OSMO

Examiner

AUTUMN PARKER

Art Unit

2862

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 9, filed 15 September 2008, with respect to the specification have been fully considered and are persuasive. The objection of the specification has been withdrawn.
2. The Examiner notes that Claims 2 and 3 have additionally been amended to overcome the 35 U.S.C. 112, second paragraph rejection. Though no specific arguments were made in the response, that rejection has been withdrawn.
3. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1, 4-8 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vance et al., U.S. Patent No. 6,992,699 (Vance) in view of Arai et al., Pub. No. 2002/0160724 (Arai), in further view of Lee, U.S. Patent No. 7,418,280 (Lee).
6. Regarding Claim 1, Vance teaches an apparatus (Fig. 2) comprising:

- a case structure (Fig. 2, [40]);
- a display component fitted with the case structure (Fig. 2, [26]);
- a camera device (Fig. 4) including an image sensor (Fig. 4, [32]) fitted entirely inside the case structure and optics (Fig. 4, [52]);
- an aperture arrangement including at least two apertures (Fig. 2, [46]; Fig. 3, [48]) fitted in the case structure, for exposing the image sensor directly from the outside

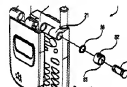


Vance does not teach that the image sensor is rotatable to at least two exposure directions, at least to the display-component side and to an opposite side relative to the display component, according to which exposure directions the aperture arrangement is arranged in the case structure and at least part of the optics is arranged to be rotatable along with the image sensor and at least part of the optics is arranged in connection with the aperture arrangement. Arai teaches that the entire camera unit, including the image sensor (Fig. 3, [33]), is rotatable in at least two directions (Fig. 1), to the display side and the opposite side relative to the display and the optics and image sensor are linearly arranged therein to permit the rotation (Fig. 3). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have included the rotation of the image sensor as taught by Arai in the invention taught by Vance in order to insure proper alignment of the optical path with the imaging sensor surface. Neither Vance nor Arai teach a mechanism configured



to move at least the image sensor linearly in the case structure to a position clear of the first and second apertures, in order to permit rotation of the image sensor. Lee teaches a camera module (Fig. 7, [31, 32, 40]), which moves linearly into and out of a hinge part (col. 5, lines 13-16). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have included the linear motion of retracting the camera into the case body or protruding it out of the case body in order to protect the lens from constant exposure to contamination and damage (col.

1, lines 32-35).



7. Regarding Claim 4, Vance additionally teaches there are shutter devices (Fig. 7, [90]) for closing the aperture that is not in use at the time (col. 5, lines 25-27).

8. Regarding Claim 5, Vance additionally teaches that the shutter devices operate in conjunction with the camera devices (Fig. 7, [90]; col. 5, lines 25-27).

9. Regarding Claim 6, Vance additionally teaches at least one detection device (Fig. 4, [80]) for determining the exposure direction in use at a given time.

10. Regarding Claim 7, Vance discloses a method for controlling the orienting of a camera device in an electronic device (Figs. 1 and 4, [64]), in which there are directional camera devices inside the case structure of the device (Fig. 4), including at least an image sensor (Fig. 4, [32]) and optics (Fig. 4, [52]) and in which the case structure includes an aperture arrangement including at least two apertures (Fig. 2, [46]; Fig. 3, [48]) in connection with at least part of the optics is arranged for exposing the image sensor directly from the outside, which aperture arrangement is arranged in at least two

exposure directions at least to the display-component side and to an opposite side relative to the display component (Fig. 2; Fig. 3), and in which:

- imaging is performed (col. 2, lines 63-64),

Vance does not teach the image sensor and at least part of the said optics is oriented by rotating them to the selected exposure direction without directing the orienting operations to the actual case structure of the device and that the image sensor and the said part of the optics are linearly moved in the case structure, in order to permit their rotation. Arai teaches that the entire camera unit, including the image sensor (Fig. 3, [33]), is rotatable in at least two directions (Fig. 1), to the display side and the opposite side relative to the display and the optics (Fig. 3). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have included the rotation of the image sensor as taught by Arai in the invention taught by Vance in order to insure proper alignment of the optical path with the imaging sensor surface. Neither Vance nor Arai specifically the image sensor and optics are linearly moved in the case structure to a position clear of the first and second apertures, in order to permit rotation of the image sensor. Lee teaches a camera module (Fig. 7, [31, 32, 40]), which moves linearly into and out of a hinge part (col. 5, lines 13-16). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have included the linear motion of retracting the camera into the case body or protruding it out of the case body in order to protect the lens from constant exposure to contamination and damage (col. 1, lines 32-35).

11. Regarding Claim 8, Vance additionally teaches that the part of the aperture arrangement not in use at the time is shut off (Fig. 7, [90]) from the aperture arrangement (col. 5, lines 25-27).
12. Regarding Claim 10, Vance discloses an image sensor (Fig. 4, [32]), which can be fitted to an electronic device (Fig. 2), which electronic device includes:
- a case structure (Fig. 2, [40]);
 - a display component (Fig. 2, [26]) arranged in connection with the case structure;
 - camera devices (Fig. 4) that can be oriented, fitted inside the case structure;
 - including the said entirely internally fitted image sensor (Fig. 4, [32]) and optics (Fig. 4, [52]);
 - an aperture arrangement including at least two apertures fitted in the case structure in connection with which aperture arrangement at least part of the optics is arranged, for exposing the image sensor directly from the outside (Fig. 2, [46]; Fig. 3, [48]);

Vance does not teach that the image sensor is arranged to be rotatable to at least two exposure directions, at least to the display component side and to an opposite side relative to the display component, according to which exposure directions the aperture arrangement is arranged in the case structure and at least part of the optics is arranged to be rotatable along with the image sensor characterized in that the image sensor and the optics arranged in connection with it can be linearly moved in the case structure, in order to permit their rotation. Arai teaches that the entire camera unit, including the

image sensor (Fig. 3, [33]), is rotatable in at least two directions (Fig. 1), to the display side and the opposite side relative to the display and the optics and image sensor are linearly arranged therein to permit the rotation (Fig. 3). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have included the rotation of the image sensor as taught by Arai in the invention taught by Vance in order to insure proper alignment of the optical path with the imaging sensor surface. Neither Vance nor Arai specifically the image sensor and optics are linearly moved in the case structure to a position clear of the first and second apertures, in order to permit rotation of the image sensor. Lee teaches a camera module (Fig. 7, [31, 32, 40]), which moves linearly into and out of a hinge part (col. 5, lines 13-16). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have included the linear motion of retracting the camera into the case body or protruding it out of the case body in order to protect the lens from constant exposure to contamination and damage (col. 1, lines 32-35).

13. Regarding Claim 11, Vance teaches an electronic device comprising

- a case having a front side (Fig. 2) and a back side (Fig. 3) with at least two apertures (Fig. 2, [46]; Fig. 3, [48]), with two apertures arranged so that one aperture is on the front side and another aperture is on the back side, the two apertures aligned with each other,



Vance does not specifically teach an image sensor disposed between the front side and the back side rotatable to selectively point through either aperture. Arai teaches that the

entire camera unit, including the image sensor (Fig. 3, [33]), is rotatable to selectively point through either aperture (Fig. 1). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have included the rotation of the image sensor as taught by Arai in the invention taught by Vance in order to insure proper alignment of the optical path with the imaging sensor surface. Neither Vance nor Arai teach a mechanism configured to slide the image sensor inside the case to a position away from the aligned apertures at which position the image sensor is rotatable. Lee teaches a camera module (Fig. 7, [31, 32, 40]), which moves linearly into and out of a hinge part (col. 5, lines 13-16). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have included the linear motion of retracting the camera into the case body or protruding it out of the case body in order to protect the lens from constant exposure to contamination and damage (col. 1, lines 32-35).

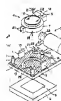
14. Regarding Claims 12 and 13, Vance teaches the electronic device comprises a mobile telephone (Fig. 2; col. 2, lines 32-35).

15. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vance in view of Arai, in further view of Lee, as applied to claim 1 above, and further in view of Kuchimaru, Pub. No. US 2005/0047770 (hereafter referred to as 'Kuchimaru').

16. Regarding Claim 2, neither Vance, Arai, or Lee teaches that at least part of the optics is equipped with actuator devices in order to permit alteration of the focal length. Kuchimaru teaches an optical structure of a camera device (Fig. 1, [1A]), installed in a mobile phone or similar, which permits adjustment of focal length (p. 3, ¶ [0051]). It

would have been obvious to a person having ordinary skill in the art at the time the invention was made to have included the adjustable focal length mechanism taught by Kuchimaru in the invention taught by Vance in view of Arai for the purpose of focusing the image sharply to avoid blurring.

17. Regarding Claim 3, neither Vance, Arai, or Lee teaches that at least part of the optics is arranged for close-up imaging. Kuchimaru teaches an optical structure of a camera device (Fig. 1, [1A]), installed in a mobile phone or similar, which includes a zooming capability (p. 3, ¶ [0053]). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have included the zooming function taught by Kuchimaru in the invention taught by Vance in view of Arai in order to achieve close-up or more detailed images.



18. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vance in view of Arai, in further view of Lee, as applied to claim 7 above, and further in view of Tseng et al., U.S. Patent No. 6,266,090 (hereafter referred to as 'Tseng').

19. Regarding Claim 9, neither Vance, Arai, or Lee teaches that the rotation of the image sensor and the optics is motorized. Tseng teaches a motor and gears used to rotate a lens in a camera (Fig. 1, [1, 2]). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have included the motor mechanism taught by Tseng in the invention taught by Vance in view of Arai for the purpose of automating the rotation of the camera unit. Further, it has been held that providing an automatic or mechanical means to replace a



manual activity which accomplished the same result is not sufficient to distinguish over the prior art. (See MPEP 2144.04 III.)

Conclusion

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **AUTUMN PARKER** whose telephone number is (571)270-3916. The examiner can normally be reached on **Mon-Thurs, 8:00 am - 5:00 pm EST**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Assouad can be reached on (571) 272-2210. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rodney E Fuller/
Primary Examiner, Art Unit 2862

AP
06 Nov 2008